

IN THE UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

In re Stephen Whitener,
Debtor.

} Case No. 12-10128
Chapter 13

**MOTION FOR RELIEF FROM THE AUTOMATIC STAY
AS TO A NON-FILING CO-DEBTOR**

COMES NOW E-Z AUTO FINANCE, INC. ("creditor"), by and through its attorneys and pursuant to 11 U.S.C. § 1301(c)(2) requests this Court terminate the stay as to the non-filing, co-debtor William Kennard ("co-debtor") and states as follows:

1. On January 16, 2012, the debtor filed a voluntary petition for relief under Chapter 13 of the United States Bankruptcy Code and in the debtor's petition the debtor requested relief from the indebtedness owed to the Creditor.
3. The plan filed by the debtor does not propose to pay in full the indebtedness owed to the Creditor.
4. Therefore the creditor requests this Court enter an order terminating the automatic stay as to the co-debtor with regards to the indebtedness owed to the Creditor.
5. **NOTICE OF OPPORTUNITY FOR HEARING:** Your rights may be affected. You should read this document carefully and consult your attorney about your rights and the effect of this document. If you do not want the Court to grant the requested relief, or you wish to have your views considered, you must file a written response or objection to the requested relief with the Clerk of the United States Bankruptcy Court for the Western District of Oklahoma, Old Post Office Bldg., 215 Dean McGee Ave., Oklahoma City, Oklahoma 73102 no later than twenty-three (23) days from the date of filing of this request for relief. You should also mail a file-stamped copy of your response or objection to the undersigned movant's attorney an to JOHN T HARDEMAN trustee, and file a certificate of service with the Court. If no objection is timely filed, the Court may grant the requested relief without a hearing or further

notice. The twenty-three (23) day period includes the three (3) days allowed for mailing provided for in Rule 9006(f) Fed.R.Bankr.Proc.

WHEREFORE, Creditor moves this Court to terminate the automatic stay as to the co-debtor William Kennard with regards to the indebtedness owed to the Creditor.

Dated: December 29, 2014

Respectfully submitted,

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Attorneys for Creditor

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CERTIFICATE OF SERVICE

I hereby certify the above and foregoing *Motion for relief from the automatic stay as to a non-filing co-debtor* was electronically served using the Court's CM/ECF system this day December 29, 2014 to:

John T. Hardeman
Bankruptcy Trustee

James E. Palinkas
Attorney for Debtor

Further I hereby certify that a copy of the above and foregoing *Motion for relief from the automatic stay as to a non-filing co-debtor* was forwarded via U.S. Mail, first class postage prepaid and properly addressed this day December 29, 2014 to:

William Kennard
P.O. Box 641
Norman, OK 73070


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